

# Data protection information

for undisclosed assignments, undisclosed purchases of receivables & undisclosed sub-participations in syndicated loans

## 1. Who is responsible for data processing and who can I contact?

The office responsible is:

Bayerische Landesbank  
Institution established under public law  
Brienner Strasse 18  
80333 Munich, Germany  
Tel: +49 89 2171-01  
Fax: +49 089 2171-23579  
E-mail: kontakt@bayernlb.de

You can contact our company's data protection officer at:

Bayerische Landesbank  
Institution established under public law  
Data Protection Officer  
Brienner Strasse 18  
80333 Munich  
Germany  
Tel: +49 89 2171-01  
E-mail: datenschutz.bayernlb@bayernlb.de

## 2. What sources and data do we use?

In the case of an undisclosed assignment or an undisclosed purchase of receivables, BayernLB receives the personal data of the collateral provider or receivables seller. In the case of undisclosed sub-participations in syndicated loans, BayernLB receives the personal data of the lead manager. Relevant personal data in the context of these transactions includes personal details (name, address and other contact details, date and place of birth, and nationality), information about financial performance, legitimization documents (e.g. ID card details) and authentication details (e.g. specimen signature) of the obligor, the financial and legal content of the underlying contracts, and in the case of a syndicated loan, the decision documents used by the lead manager, if applicable (e.g. credit resolution and credit report with disclosures, including on the risk assessment and on the business relationship).

## 3. Why do we process your data (purpose of processing) and on what legal grounds?

### For the legitimate interests of BayernLB or a third party, Art. 6 (1) f of the GDPR

Personal data is processed for the administration of undisclosed receivables sold to BayernLB or assigned to it as collateral and for the initiation and execution of undisclosed sub-participations in syndicated loans. The legitimate interests of BayernLB and its business partners consist of providing or using traditional banking and financial services whereby BayernLB is not a party to the business relationship between its business partner and their contract partner and therefore is generally not intended to have any direct contact with the data subjects Art. 14 (2) (b) GDPR.

### As a result of legal requirements (Art. 6 (1) c GDPR)

In addition, we as a bank are subject to a range of statutory obligations, i.e. legal requirements (e.g. the German Banking Act, the German Money Laundering Act, the German Securities Trading Act and German tax law) and banking supervisory regulations (e.g. from the European Central Bank, the European Banking Authority, the Deutsche Bundesbank and the German Federal Financial Supervisory Authority). The purposes of processing include, for example, credit assessments, verification of identity and age, prevention of fraud and money laundering, meeting controlling and reporting obligations under tax law, and evaluating and managing risk.

#### 4. Who gets my data?

Within the Bank, units that need it to fulfil their contractual and legal obligations receive access to the data. We provide your data to bodies outside the Bank to fulfil legal obligations (e.g. supervisory authorities), as part of contract data processing customary for banks (e.g. operating a data centre) and in some circumstances in connection with refinancing transactions customary for banks. In the case of real estate loans, data may also be passed on to a real estate appraiser.

#### 5. How long will my data be stored?

BayernLB processes your data if and to the extent necessary for execution of the transaction for which it has received the data. Furthermore BayernLB is subject to various retention and documentation obligations, which stem partly from the German Commercial Code (HGB), the German Fiscal Code (AO), the German Banking Act (KWG), the German Money Laundering Act (GwG) and the German Securities Trading Act (WpHG). The retention and documentation periods stipulated are generally between two and ten years. As a result of external tax audits (section 193 AO), retention periods may also exceed ten years.

The duration of processing also takes account of the legal limitation periods. Under section 195 ff. of the Civil Code (BGB) these generally run for three years but are as long as 30 years in some cases.

#### 6. Is data transferred to a third country or an international organisation?

BayernLB does not intend to transfer data to third countries (countries outside the European Economic Area - EEA) or international organisations.

#### 7. What rights of data protection do I have?

Every data subject has the right of **access** pursuant to Art. 15 GDPR, the right to **rectification** pursuant to Art. 16 GDPR, the right to **erasure (“right to be forgotten”)** pursuant to Art. 17 GDPR, the right to **restriction of processing** pursuant to Art. 18 GDPR and the right to **data portability** pursuant to Art. 20 GDPR. The right of access and right of erasure are subject to the limitations in sections 34 and 35 BDSG. Furthermore the data subject has the right to lodge a complaint with a supervisory authority for data protection of their choice (Art. 77 GDPR in conjunction with section 19 BDSG).

### Right to object under Art. 21 GDPR

You have the right, based on grounds relating to your particular situation, to lodge an objection at any time to the processing of personal data about you being carried out under Article 6 (1) e GDPR (processing in the public interest) and Article 6 (1) f GDPR (processing on a balance of interests). If you object, we will no longer process your personal data unless we can provide compelling legitimate reasons for the processing which override your interests, rights and freedoms, or the processing serves the assertion, exercise or defence of legal claims.

### 8. To what extent is automated decision-making, including profiling, used in individual cases in accordance with Art 22 (1) and (4) GDPR?

BayernLB does not use either automated decision-making or profiling.

#### Your contact

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bayernlb.de

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datenschutz.bayernlb@bayernlb.de